

Justice of India on 03.08.2016. The inputs on the MoP of the Supreme Court Collegium was received from Chief Justice of India *vide* letter dated 13.03.2017.

In another judgment dated 4.7.2017 of Supreme Court in a "*suo moto*" contempt proceeding against a Judge of the Calcutta High Court, the Supreme Court has underlined the need to revisit the process of selection and appointment of Judges to the Constitutional Courts. The Government of India has conveyed the need to make improvement on the draft MoP to the Secretary General of the Supreme Court *vide* letter dated 11.07.2017.

In order to make the system of appointments more transparent, the Minutes of the Supreme Court Collegium are being uploaded on the website of the Supreme Court of India.

The conduct of Supreme Court and High Court Judges is governed by "Restatement of Values of Judicial Life" adopted by Supreme Court in its full Court meeting held on 7th May, 1997. There is no proposal under consideration of Government for any Parliamentary initiative to regulate appointments and conduct of Supreme Court and High Court Judges.

Fast track courts in States trial

2140. SHRI RAJMANI PATEL: Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether Government had asked the State Governments and High Courts to set up Fast Track Courts (FTCs) for speedy trial of cases;
- (b) if so, the details of FTCs set up so far, State-wise;
- (c) whether it is a fact that in some States FTCs are not being set up; and
- (d) if so, the details thereof and the reasons therefor and the steps being taken to make all State Governments to comply with the Central orders in this regard?

THE MINISTER OF LAW AND JUSTICE (SHRI RAVI SHANKAR PRASAD):
(a) to (d) Setting up of subordinate courts including Fast Track Courts (FTCs) lie within the domain of State Governments who set up such courts in consultation with the concerned High Courts. In its judgment dated 19.04.2012 in Brij Mohan Lai & Others *vs* Union of India & Others case, the Supreme Court had, *inter alia*, directed the States that they shall not take a decision to continue FTCs on an *ad-hoc* and temporary basis.

They (States) will need to decide either to bring the FTCs scheme to an end or to continue the same as a permanent feature in the State.

The details of FTCs set up State-wise as per information received from the High Courts are given in the Statement-I (*See* below).

The Government of India proposed setting up of 1800 FTCs at a cost of ₹ 4144 crore as a component of its Memorandum to the Fourteenth Finance Commission (FC) in order to dispose of cases pertaining to heinous crimes involving women, children etc. The details of number of FTCs proposed to be set up along with the funds, State-wise, during the period (2015-20) are given in the Statement-II (*See* below). The Fourteenth FC endorsed the proposal of the Union Government and urged the State Governments to use the additional fiscal space provided by the Commission in the tax devolution from 32% to 42% to meet such requirements. The Union Government has also requested the Chief Ministers of States and Chief Justices of High Courts for taking adequate measures to implement the recommendations of the Fourteenth FC including setting up of FTCs.

Statement-I

State/UT-wise list of Fast Track Courts set up in the country

| Sl. No. | Name of the State/UT | No. of Fast Track Courts functional (as on 31.03.2019) |
|---------|----------------------|---|
| 1 | 2 | 3 |
| 1. | Andhra Pradesh | 21 |
| 2. | Assam | 03* |
| 3. | Arunachal Pradesh | 0 |
| 4. | Mizoram | 02 |
| 5. | Nagaland | 0 |
| 6. | Bihar | 45** |
| 7. | Chhattisgarh | 23 |
| 8. | Delhi | 14 |
| 9. | Goa | 0 |
| 10. | Maharashtra | 77*** |
| 11. | Gujarat | 0 |

| 1 | 2 | 3 |
|-------|---|-----|
| 12. | Haryana | 05 |
| 13. | Punjab | 0 |
| 14. | Chandigarh | 0 |
| 15. | Himachal Pradesh | 0 |
| 16. | Jammu and Kashmir | 0 |
| 17. | Jharkhand | 0 |
| 18. | Karnataka | 0 |
| 19. | Kerala and Lakshadweep | 0 |
| 20. | Madhya Pradesh | 0 |
| 21. | Manipur | 04 |
| 22. | Meghalaya | 0 |
| 23. | Odisha | 0 |
| 24. | Rajasthan | 0 |
| 25. | Sikkim | 02 |
| 26. | Tamil Nadu | 50 |
| 27. | Puducherry | 0 |
| 28. | Tripura | 03 |
| 29. | Uttar Pradesh | 206 |
| 30. | Uttarakhand | 0 |
| 31. | West Bengal and Andaman and Nicobar Islands | 88 |
| 32. | Telangana | 38 |
| 33. | Daman and Diu | 0 |
| 34. | Dadra and Nagar Haveli | 0 |
| TOTAL | | 581 |

* As on 04.07.2019, no FTC is functioning in Assam. However 29 courts of different level are designated to try the cases of rape, murder etc.

** As on 03.07.2019, 42 FTCs are functioning in Bihar.

*** As on 04.07.2019, 100 FTCs are functioning in Maharashtra.

Statement-II

Funds proposed for establishment of 1800 Fast Track Courts for a period of five years (2015-20) as endorsed by the Fourteenth Finance Commission

(₹ in crore)

| Sl. No. | Name of the State | No. of FTCs proposed | Funds proposed |
|---------|--|----------------------|----------------|
| 1. | Andhra Pradesh | 47 | 108.21 |
| 2. | Telangana | 37 | 85.18 |
| 3. | Assam | 36 | 82.88 |
| 4. | Arunachal Pradesh | 0 | 0.00 |
| 5. | Mizoram | 07 | 16.12 |
| 6. | Nagaland | 03 | 6.91 |
| 7. | Bihar | 147 | 338.43 |
| 8. | Chhattisgarh | 28 | 64.46 |
| 9. | Gujarat | 174 | 400.59 |
| 10. | Himachal Pradesh | 13 | 29.93 |
| 11. | Jammu and Kashmir | 21 | 48.35 |
| 12. | Jharkhand | 50 | 115.11 |
| 13. | Karnataka | 95 | 218.72 |
| 14. | Kerala, Lakshadweep | 41 | 94.39 |
| 15. | Madhya Pradesh | 133 | 306.20 |
| 16. | Maharashtra, Dadra and Nagar Haveli, Daman and Diu | 204 | 469.67 |
| 17. | Goa | 05 | 11.51 |
| 18. | Manipur | 03 | 6.91 |
| 19. | Meghalaya | 04 | 9.21 |
| 20. | Odisha | 63 | 145.04 |
| 21. | Punjab | 50 | 115.11 |
| 22. | Chandigarh | 02 | 4.61 |
| | Haryana | 48 | 110.51 |

| Sl. No. | Name of the State | No. of FTCs proposed | Funds proposed |
|---------|---|----------------------|----------------|
| 23. | Rajasthan | 93 | 214.11 |
| 24. | Sikkim | 01 | 2.3 |
| 25. | Tamil Nadu, Puducherry | 89 | 204.91 |
| 26. | Tripura | 09 | 20.72 |
| 27. | Uttar Pradesh | 212 | 488.08 |
| 28. | Uttarakhand | 28 | 64.46 |
| 29. | West Bengal, Andaman and Nicobar Islands | 94 | 216.42 |
| 30. | Delhi | 63 | 145.05 |
| TOTAL | | 1800 | 4144.11 |

Compulsory Voting

†2141. SHRI AMAR SHANKAR SABLE: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the efforts being made by Government to boost the percentage of voting and whether Government is proposing to make voting certificates compulsory to avail Government benefits;

(b) the number and details of democratic countries in the world where the system of compulsory voting has been enforced; and

(c) whether Government has taken any action to implement compulsory voting in the country and if so, the details of action taken in this regard, so far?

THE MINISTER OF LAW AND JUSTICE (SHRI RAVI SHANKAR PRASAD):
(a) and (b) The information is being collected and will be laid on the Table of the House.

(c) No such proposal is under consideration of the Government.

Retirement age of judges

2142. SHRI C.M. RAMESH: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether Government is considering to raise the retirement age of High Court judges and if so, the details thereof; and

†Original notice of the question was received in Hindi.